



Atty. Dkt. No. 040356-0587

IPW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ryoichi SHIMOI et al.  
Title: ELECTROLYTIC MEMBRANE  
STRUCTURE FOR FUEL CELL  
AND FUEL CELL  
Appl. No.: 10/579,038  
International Filing Date: 10/28/2004  
371(c) Date: 06/13/2008  
Examiner: Unassigned  
Art Unit: 1795  
Confirmation Number: 4980

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

The document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding Chinese application. A copy of the Chinese Office Action is attached setting forth the portion of each document considered relevant by the examiner. A counterpart application of the foreign-language document has been provided.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date MAR 3 2009

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